

SEP 28 2007

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SYED SAADET ALI FARA SHAH, aka
Syed Mustajab Shah aka Syed Saadar Ali
Syed Saadar Ali Shah aka Badshah Khan
aka Sued Saadat Ali Syed Saadat Ali
Franz aka Shajee,

Defendant - Appellant.

No. 06-50583

D.C. No. CR-02-02912-MJL

MEMORANDUM^{*}

Appeal from the United States District Court
for the Southern District of California
M. James Lorenz, District Judge, Presiding

Submitted September 24, 2007^{**}

Before: CANBY, TASHIMA and RAWLINSON, Circuit Judges.

Syed Saadet Ali Fara Shah appeals from his conviction and 225-month

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

sentence imposed following a guilty plea to conspiracy to distribute heroin and hashish, in violation of 21 U.S.C. § 841(a)(1), and providing material support to terrorists, in violation of 18 U.S.C. §§ 2339B(a)(1) & (d).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Shah has filed a brief stating there are no grounds for relief, which includes a motion to withdraw as counsel of record. No pro se or government brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 83-84 (1988), discloses no grounds for relief.

Accordingly, counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.